

ABOUT IPP

The Institute for Public Policy (IPP) is an independent, non-partisan research and policy-making institution established in June 2005. Its goals are to develop and promote participatory approach in establishing public policy; to strengthen expert analysis in order to promote effective decision-making in matters of public policy and to create an independent platform for dialogue on public policy issues. The Institute provides expert consulting, research and surveys on Central Asian affairs, conflict management services as well as implementation of educational and cultural projects aimed at good governance.

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Muratbek Imanaliev:

“Neither in foreign policy nor in domestic affairs is the leadership of the country able to clearly and rigidly identify a certain interest so that it could seriously negotiate with foreign partners. I link this problem with party formation. No matter what types of parties are there, whatever values they may champion, their general platform should aim at strengthening of the national system of values and promotion of these interests both domestically and internationally.”– p. 6

Dear readers,

This is the first issue of *Kyrgyzstan Brief*, a bimonthly newsletter of the Institute for Public Policy. It will cover materials relevant to policy analysis and policy making in Kyrgyzstan, publish original transcripts of roundtables and meetings organized by the Institute on the most pressing public policy problems, and provide a platform for research, debate and recommendations. The newsletter is intended for the highest-level policy-makers of the country, but it should also be of interest to members of the non-governmental and international communities willing to take a part in policy-making processes, and to academics and students interested in relevant research areas.

The country has been experiencing uneasy times. The March 2005 events brought many hidden problems out to the surface, and the developments since then have demonstrated the extreme fragility of political stability in the country. The “Tulip Revolution” has been continuing not only at the main square of Bishkek, but also at Karakeche coal mine and in the Jeti Oguz district, as well as in the minds and moods of common people, still waiting for justice throughout the country.

The March events were followed by another seizure of the Kyrgyz White House on the 17th of June. An obvious confrontation between Bakiev and Kulov, despite their assurances to the contrary, seems to be only growing amidst the tough process of redistributing Akaev’s property. These developments have made experts, NGOs, politicians and the media openly scream about a serious political crisis in the country.

The crisis climaxed after the murder of the Parliament member Tynychbek Akmatbaev during his visit to the No.31 prison in Moldovanovka. The relatives of the killed MP rallied in front of the Parliament building, demanding the resignation of Prime Minister Kulov.

For a whole week after the assassination, Kyrgyzstan’s population witnessed the live “negotiation” process between the country’s leaders and brother of the murdered MP, Rysbek Akmatbaev, also known as a “big guy” among certain circles. The problem was not in the attitude of Rysbek Akmatbaev; one could humanely understand his grief and sorrow. The problem was that the country’s leadership effectively demonstrated its utter incapability for resolving this sort of problem in a decent way.

Obviously, the current problems have deep roots in the past, in Akaev and pre-Akaev times. However, one has to realize that the current crisis in governance is increasingly turning into a serious crisis of the state, and of society, which is losing the last drops of respect for state power. The interests of the state/society remain simply absent on the priority lists of both political and business elite, as well as those of ordinary citizens, while an intellectual elite itself remains quite absent in the country.

The examples of other similarly small and developing states in various parts of the world illustrate that it is very easy for us to end up in the chaos of monthly revolutions and coups. The lack of a societal consensus on domestic and external policies, coupled with an opportunistic foreign policy, has already been causing a sense of distrust from foreign governments, which presents serious threats to our national economy and security. Now Kyrgyzstan needs and hopes for a far-sighted strategy, flexible tactics, and a minimum of near-fatal mistakes.

The problems of policy-making have to be publicly discussed. At one level, mass media and civil society actors have been playing a fairly active role in pointing out the problem areas and revealing mishandled cases. However, policy-making bodies also need professional help in researching the policy issues and assessing various policy options in order to adopt the best course of actions. This newsletter is intended to bring its small contribution to promoting a public discourse on major policy problems, and to provide actual decision-makers with important insights on their implications and outcomes.

Shairbek Juraev,
Editor

Muratbek Imanaliev:

“All parties, independent of their type and orientation, should aim at strengthening the national system of values and promotion of these interests both domestically and internationally”

Muratbek Imanaliev, former Foreign Minister, program director of the Institute for Public Policy, discusses the state of political parties in Kyrgyzstan and their role in state governance. The discussion took place on 13 October 2005 at IPP, during his meeting with representatives of political parties, public servants, and assistants of Parliament members – participants of “Policy debate and good governance” project of IPP.

Muratbek Imanaliev:

While speaking of political parties in Kyrgyzstan we should make several lyrical digressions in order to understand why a party system in our country is forming so slowly, sluggishly, and not so much qualitatively.

First of all, there is a problem related to political psychology. When the Soviet people (the majority of the population of

Kyrgyzstan is made of former Soviet citizens) think of political parties, they think only of parties like the Communist Party of the Soviet Union (CPSU). The CPSU, as you may know from the research literature of the recent 15 years, was not necessarily a political party as it is understood in the West. The CPSU was a kind of a supra-government institution, an institution of government which influenced virtually all spheres of the people's lives and of the state, and at the same time was immune to criticism. Speaking figuratively, people thought of the CPSU as some sort of eternal, strict leader, and at the same time as a breadwinner. It's an institution that delivered jobs, leaves of absence, bonuses, honors, though it also imprisoned. This is what heavily influenced the perception of political parties in Kyrgyzstan, and not only here. This problem exists in Russia, Kazakhstan and in many other states. In Uzbekistan or Turkmenistan it is a different situation. And it is too early to speak of the existence of political parties in these states



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other than as some formal political entities called parties.

The second problem is that those people, i.e. politicians, leaders of the civil society, who intended to set up political parties lacked the experience in building political parties as such. And therefore parties in Kyrgyzstan are structured along a very simplified model, I would say with elements of traditionalism, but in the form of political associations. There is a leader; there is a party comprising middle and high ranking officials or relatives of the leader, or his friends or some category of people who work for money. As a result, with a rare exception, there are few political parties in Kyrgyzstan, and they are not really political parties but rather political clubs.

The third problem related to building political parties is that the state, despite its statements and declarations of supporting all democratic institutions, in reality has not only failed to do that, but has attempted to preclude formation of strong political parties. What do I mean by this? You know, for example, that German parties which win seats in the local or federal parliament are entitled to state funding. This system exists in many countries which, first of all, try to support democratic institutions, and secondly, support political pluralism in the society and in some other aspects of the political life of the country.

These are the three reasons why a system of party formation in Kyrgyzstan did not experience rigorous, rapid, and qualitative development. But at the same time we should note that, despite all problems, in fifteen years Kyrgyzstan managed to reach a point whereby there are two to three, at most five, associations which could be, with great reserve, identified as political parties. Later we will talk about these

particular parties. The pallet of Kyrgyzstani political parties contains all types of parties. Primarily centrist parties; leftist parties, which are further subdivided into two categories; rightist parties, which are also divided into two groups; and according to experts, there are parties which do not belong to any of these types. In this case we are talking about a party like Arnamys (Dignity), which claims to be liberal, i.e. a rightist party when it comes to the economy, and when it comes to government it could be identified as a leftist party. Experts are confused as to its location in the ideological spectrum, but have decided that this party is neither leftist nor rightist, nor even centrist.

However, there is another feature according to which the public perceives parties in Kyrgyzstan. Thus under the President Akaev, parties were divided into government or pro-government and opposition parties. It was too late when the state realized the necessity of forming pro-government parties, which would be capable of consolidating a part of the society to support the incumbent regime. Those were the parties Adilet (Justice) and Alga, Kyrgyzstan! (Forward, Kyrgyzstan!) According to the law "On Political Parties" state officials who join a political party cannot occupy positions of leadership in the government. Unfortunately, leaders of Alga, Kyrgyzstan! and Adilet were state officials. And there were opposition parties. The majority of parties were centrist towards the incumbent government, although in their centrism they were quite amorphous. These political parties did not manifest any political activeness.

Here is another criterion for assessing performance of political parties – their level of activeness/passiveness. For example, by the start of the year 2005 there were 45 political parties in Kyrgyzstan. Of these, there were only five or six parties which could actively participate in the political life and take up positions. What are those parties? First of all, we should note the fact that, despite the dissemination of liberal ideas, liberal values remained afloat, and the Communist Party became one of those strong parties. Moreover, there were and still are two Communist parties. Arnamys was considerably active not only because it was in opposition; the beauty of it

was in the fact that such a famous politician in Kyrgyzstan as Felix Kulov headed the party, and furthermore, he was in prison. Moya Strana (My country) belongs to the liberal camp, and is related to the rightist, right-liberal type of parties. It was set up through the efforts of the nascent Kyrgyz business class. However, Moya Strana took pro-government positions when it came to certain issues, but regarding the issues of democratization the party held opposition views. Unlike the Communist Party and Arnamys, which held very rigid opposition views on almost all issues, Moya Strana could participate in the work of the Cabinet or some state bodies.

These are the features of political parties, which emerged within the last 15 to 20 years. Now the question is how parties could participate in shaping state policy in Kyrgyzstan. The main thing is that political parties have a possibility to participate in the government through contesting elections. We are talking about elections to parliament, to some regional or provincial elected bodies, as well as elections to some public offices. For example, the Human Rights Ombudsman is an elected office, and parties could actively participate in this process. This is the foremost point. Secondly, parties could submit to the Cabinet, the leadership of the country, certain social programs of either local or national importance. Sometimes the Cabinet finds it necessary to participate in drafting and implementing such programs. Particularly, I will remind you of some programs that political parties were involved in. These are the programs related to the constitutional reform, and certain economic programs which involved parties in their drafting. The third possibility is "pushing through" one's own interests on the political scene so that a leader could advance himself on a number of important issues and in this way try to influence the elaboration of recommendations and decision-making by the state institutions. And finally, there is informational work. There are parties that operate their own mass media and try to shape the public opinion as well as decision-making on the state level.

Could our parties actively participate in the government? A decision was made in 2000 to fill 15% of the seats in parliament through party

lists. Some parties set up electoral blocks, whereas others ran on their own. It turned out that the Communist Party received most of the seats in the legislature. The Union of Democratic Forces, an electoral block, came second. However, during the work of the legislature it turned out that deputies elected through party lists, with the exception of communists, failed to form their respective factions. And worse, some deputies elected through the same party list found themselves at the opposite ends of a barricade. Mr. Erkebaev, who was elected Speaker of the Legislative Assembly, turned out to be pro-government, whereas Mr. Japarov moved closer to the center and was in opposition to the Cabinet regarding a number of economic issues. One could mention several similar examples, which emerged in the parliament.

As I see it, participation of political parties in the government and in strengthening public institutions in Kyrgyzstan has quite good prospects. It should be noted that the year 1994 was a high point for the formation of parties, as



Diagram 1. Dynamics of emergence of new parties in Kyrgyzstan. From the Sustainable Human Development Report in the Kyrgyz Republic, 2004. UNDP, Bishkek, p. 111.

elections to the parliament were held following year. The same thing occurred in 2000 and during the parliamentary elections this year. These parties are tiny and they were set up to help their leaders win seats in parliament. There was not any other objective besides that. Today, as far as I know, there are about 50 political parties in Kyrgyzstan. An additional three to four new parties emerged during the last few months, and according to experts, this trend will increase and result in a bigger number of parties. More parties will appear closer to the date of elections using the proportional system, as promised by the President as well as the Constitutional Council.

These elections could be scheduled for February or March 2006.

Yet, I should note a growing political culture in forming political parties that advocate certain political and economic values. In our country, parties are not represented and formed on the grounds of elitism, as Kyrgyzstan suffers from a lack of a serious elite: political, economic, and most importantly, intellectual. However, at the same time there are tendencies to form political positions based on certain socio-economic, cultural and other values. As it appears to me, our country is being influenced by three basic power bases, related to value systems.

Firstly, these are the post-communist value systems, which formed within the past 15 years in most of the CIS countries. Several political parties have these value systems: for example, the Communist Party, Jangy Kyrgyzstan (New Kyrgyzstan, member of the People's Movement of Kyrgyzstan, an umbrella group for the opposition to the previous regime), the social democratic parties, Socialist Party Ata Meken (Fatherland). Another group takes positions based on liberal values. These are Moya Strana, Partia Spravedlivosti i Progressa (The Justice and Progress Party) and a number of others. Arnamys is also starting to align itself in this direction. The third base of power, occupied by alien parties, is the influence of Islam. We should admit that the influence of the Hizbut-Tahrir party is increasing year by year, not only in the south of the country, but also in the north of Kyrgyzstan and in Kazakhstan. President Karimov directly implicated Hizbut-Tahrir in what is taking place in Uzbekistan. There are attempts to set up a party modeling those created in Tajikistan like the Islamic Revival Party of Tajikistan. At the moment there are attempts being made to form a Kyrgyz party of revival, but as the law prohibits forming parties on the basis of religion, it is obvious that the founders of such parties will have to seek other options.

These three power bases – liberalism, post-communism and Islam – are the most important and powerful values, and this is where our problem of the absence of national value systems originates. I think that in principle, it is possible that all these bases will merge after some time. Once the referendum approves a

parliamentary or parliamentary-presidential system of government for Kyrgyzstan, there will be a consolidation of parties involving the merger and disappearance of tiny parties. Only this will allow further strengthening of the political state of affairs. Otherwise it will not be likely to happen, although the trend of forming national parties will be preserved. This is very important, as the political power should rely on and consist primarily of, political parties and business elite. Thus, we would be able to drive regional-clan and clan-tribal associations out of the political scene. As you may know, these associations are informal, but they are considerably powerful and are able to influence policymaking as well as to resolve issues of regional development. The state should assist in the development of parties, and I think that to do this we should come up with certain effective mechanisms like elections, funding, recruitment, and expansion of the social base. This is where the state is able to assist parties in resolving the above drawn issues.

I suppose that we should look at a different problem as well. I mean the national interests of Kyrgyzstan. Unfortunately, we have not elaborated a set of national interests. Neither in foreign policy nor in domestic affairs is the leadership of the country able to clearly and rigidly identify a certain interest so that it could seriously negotiate with foreign partners. I link this problem with that of party formation. No matter what types of parties are there, whatever values they may champion, their general platform should aim at strengthening the national system of values and promoting these interests both domestically and internationally. I find it extremely relevant for Kyrgyzstan and important for the public.

Question: *Which electoral system of the legislature is optimal for our country?*

Muratbek Imanaliev: I favor a mixed, majority-proportional system. Instead of 50/50, 70 seats should be allocated through the proportional system and 30 through the majority system. I find this approach most suitable for Kyrgyzstan. The disadvantage of the majority system is that it excludes parties from electoral process, whereas the proportional system excludes from the electoral process a number of very bright

politicians and public figures, who could make a difference through the parliamentary floor. Obviously, these people, while being independents, could join a party during elections. However, there are cases when certain people simply refuse to enter any party lists, but are ready to contest elections and become legislators with the aim of contributing to the development of Kyrgyzstan. Therefore, as it seems to me, the ratio of 70/30 is the best option. Of course, I could be wrong and there could be better options; however I should say that I am against pure proportional or pure majority systems of election.

Question: *Why does Hizbut-Tahrir's influence gradually increase? Is it because of the abject poverty of our population or it is a result of our traditions, which survived the Soviet repression?*

Muratbek Imanaliev: You pointed one of the reasons – a deeper religiosity, a deeper understanding of Islam as a religion. Hizbut-Tahrir was formed as a party in 1953 in Palestine. Its founder set the objective of unifying the Islamic world and creating a new khaliphate. But, of course, it was about religious values, so that Islamic values based on Shariah and Quran should be revived.

The deeper religiosity of the Uzbek people, including the population of southern Kyrgyzstan, definitely plays a significant role in strengthening ideas of Hizbut-Tahrir here. There are problems related to the growing abject poverty which plagues both Uzbekistan and Kyrgyzstan. But I do not think that this is the main reason, as there are many affluent members of Hizbut-Tahrir, which means that they join the party because of its ideology. I see the consolidation of Hizbut-Tahrir throughout the CIS (the party is active in Muslim republics of Tataria, Bashkiria and the Caucasus of the Russian Federation, where Islam was traditionally strong) in the fact that Islam is currently on the verge of critical theological and technical reforms. For a long time, virtually for most of its existence, Islam has not undergone any changes or amendments. New currents emerged, but they turned out to be worse than orthodox currents. I think that the main idea of Hizbut-Tahrir is unification into world

communities of Muslims, and this is the problem related to the forthcoming reforms within Islam. Muslim theologists and experts are actively talking about it now.

Why should Hizbut-Tahrir be banned? It could not be banned based on its activity because, as far as I know, the party does not plot terrorist acts or any anti-government actions. However, according to its programmatic aims, the creation of a caliphate means elimination of secular states; therefore it is an anti-constitutional program. Particularly, it goes against the Constitution of Kyrgyzstan, which defines our country as a secular, democratic state. This is the main indicator why Hizbut-Tahrir could be placed among those parties which should be banned. According to the laws of Kyrgyzstan, a party which challenges the constitutional order of Kyrgyzstan has no right to existence. In all other aspects I do not see any barriers for its functioning, as the party does not call for destruction of shops or taking people to the streets....

Question: *Which party system, do you think, suits Kyrgyzstan best? Single party, two-party or a multiparty system with several dominant parties? And in this regard, how could an electoral system influence the number of parties?*

Muratbek Imanaliev: Unfortunately, only politicians discuss this issue. I even think that it is too early to discuss this issue in Kyrgyzstan and it makes no sense. When people talk about a two-party system they always point to the U.S. The U.S. has a different history of the origins of its political parties, an absolutely different understanding of this issue. And by the way, the U.S. is not a two-party state; it has over 400 parties. It just turned out that two dominant parties emerged, which primarily represented certain concepts related to the issue of slavery. Thus, the Republican Party was more progressive compared to the Democratic Party. On the other hand, these parties represent two U.S. regions – the North and the South, and this is how it unfolded historically. They say there are two strong parties in the United Kingdom. Well, there is a third one – the Liberal Party – which is also strong and sometimes wedges in and takes away a certain number of seats in parliament. I

could mention another example: the experience of Japan, where, besides the Liberal-Democratic Party, some six to seven parties equally contest elections, and they are the Socialist Party of Japan, the Komeito Party, communists of Japan, the Party of New Progress, etc. The existing political system satisfies the Japanese public and functions normally.

The main thing now is to allow everyone willing to set up a political party to do it. This is important not for the sake of increasing the number of parties, but for strengthening the system of the freedom of choosing ideas. When a system of national values will be in place, parties as such may disappear, political level will increase, and more mature political programs will emerge. But it could happen so that parties will not disappear. Say, there will be 100 parties in Kyrgyzstan in 20 years but only five of them will be effective. Therefore I find this discussion fruitless.

Two years ago the state attempted to artificially create a two-party system. But I think that would have led to distortion in terms of democracy, as every new President would have destroyed existing parties and formed new ones. I suggest that the notion “democracy” does not sound convincing enough for Kyrgyzstan. A strong, mature democracy is not only about internal resources for development of, primarily, individuals. As we see, democracy has its own deficiencies, like corruption. Apparently, something should be done about it. Unfortunately, we do not have everything in the right way. If now we switch to a dictatorial or semi-dictatorial system, I am deeply convinced that Kyrgyzstan is not likely to survive. Development of personality is very important for us, and as we do not command other resources, we need a well educated, physically healthy citizen. The basis for a physical health rests not only with biological development, but also with intellectual development and cultural development of a person. Unfortunately, we should admit that the majority of the population of Kyrgyzstan suffers from various diseases as a result of child malnutrition and consumption of alcohol. The psychological background of human development is very complicated in our

country; and both the state and civil society must aspire to relieve the situation. For example, I am very concerned about the problem of alcoholism in the country. This is a problem of a national importance, and we should seriously work to tackle it. As long as there are no physically healthy people in the country, it is premature to talk of how anyone will be able to promote certain ideas or do something manually. This is very important.

Question: *The main goal behind having a proportional system is to increase the efficiency of the parliament, as there will be factions with clear programs. This is, of course, in theory. But people prior to elections could join parties and then defect once in parliament. Everyone wants to have an efficient parliament with clear programmatic goals and identifiable factions. How can we reach it if we lack party discipline?*

Muratbek Imanaliev: I think that Kyrgyzstan should not hurry with transformation into a parliamentary republic. Failure with the presidential system of government under Akaev's presidency does not mean that we should abandon the presidency. We should give it another try. Of course, we all see the positive sides of a parliamentary republic. However, I am afraid that due to feeble political parties, parties could form on the basis of regionalism. We will not be able to reach the level of forming national parties, and it will look like we have stopped half way down or even less, and are now introducing a parliamentary form of government. Frankly speaking, you cannot promote hypertrophy of national interests or think of them as a construct which is beyond the comprehension of an average person; it just does not work this way. For me personally, national interests in Kyrgyzstan are simple things like interethnic solidarity. At the current point of Kyrgyzstan's development, interethnic solidarity is one of the highest national interests of our country. Such types of interests facilitate the growth of what I call an internal base of power, upon which you promote national interests. Our national interest could be becoming a developed nation with all features meeting international standards. Now, are we able to do it or not? This is a very important issue.

For example, a national interest for me is recognizing on the national level certain achievements made beyond our country. Particularly, we should recognize that the Euro-Atlantic civilization (at least at this stage of human development) is the highest level of human development, including such areas as democracy and market economy. If you do polling, one half of respondents will advocate for a liberal economy; another half will be for a Soviet economy; and the rest will favor an Islamic economy. You know, there is a notion like an Islamic economy. When I visited Iran, I enquired a lot since I wanted to learn what an Islamic economy is. Later, I learned that it is an enterprise sector headed by mullahs – this is what they call an Islamic economy. We should make these recognitions on a national level. We could admit that we have certain problems which exist in our country, but we are not willing to do so. For me, this is a national interest as well. We should work on it, although it is very demanding. It should not be the state alone, the President and the Cabinet, dealing with it. The public should also be engaged, and all of the work should be guided by scientific-methodological procedures.

What is the value of ideology for us? We are totally confused in this matter. There was communism, now there is capitalism. We failed to understand communism; then we were told to build capitalism, which is also not clear for us. Furthermore, something like tengrianism emerged, which nobody can comprehend. There are Islamic values, which many fail to understand. It is not pure Islam that is proliferating in Kyrgyzstan. Rather it is ceremonial Islam, and that is why many consider themselves Muslims even though they are not. What strikes me most of all is that everyone drinks vodka and congratulates each other after some Muslim feasts. This is shocking, but that is the history, and that is how it came to be in Kyrgyzstan, Kazakhstan and some other countries. This is a big problem. So, a national interest cannot appear on its own.

From my point of view, at the moment it is extremely relevant for a country like ours (I will not mention Uzbekistan, which faces the same issues, although in a slightly different way) to resolve three problems. And I particularly count

on the youth, because there is virtually nothing to talk about with the people of my age and older. So what is an economic identity? It is the formation of an economic culture, and is related to the formation of a new behavioral culture based, say, on the availability of heroes who would be imitated by the general public. You know, our problem is that we do not have heroes to imitate. We do not have them nor have we had them before. We like to brag about some batyrs (legendary warriors), but when you start to learn more about them, it turns out that in their youth they stole six horses from a neighboring village and became a batyr. Of course, it is hammed up, and there are really famous people who should be respected. But even so the above point is true. A regional identity allows advancement to the problem of a national system of values. This identity will on its own directly push for the national interest, which should be promoted both domestically and internationally. What have the recent foreign policy activities of our President demonstrated? During his visit to Astana he said that the U.S. military bases should be removed, and back in Bishkek he said that they should remain. Since we lack a national interest, we do not have our own position; we start taking into account positions of Astana, Russia, and then insert our position. Upon returning we take up the position of the Americans and use it to model our position. As a result, the President of Kyrgyzstan lost credibility. And what is credibility? Credibility is a reputation. It is the main, fundamental element in the international arena. If people trust you, it means that they will give you money, they will take your position into account, and finally, they will respect you. So this is where the problem rests.

Question: *We saw the example of Askar Akaev, who sought respect from different countries and received money. However, we never observed universal respect of Kyrgyzstan. What Akaev did was build foreign relations. So perhaps we should have paid more attention to domestic affairs?*

Muratbek Imanaliev: I will not say that Akaev was strong in forming national interests and that everything was perfect in his foreign policy. This is not the case. During the last years of his

presidency, Akaev did not have the reputation of a person who could be trusted. But here I am talking about foreign policy. I totally agree with the idea that domestic affairs should be the priority of the new Cabinet and the new President. We cannot speak of the Cabinet now as it was recently formed. However, I am upset by the fact that our President still has not stated in what direction we will move, what we will do. The President is a father of the nation, so he should tell us: we will go this direction, we will build this, I will try to do that. There is no other way. Now I am impatiently awaiting when he will address the nation, and I hope that we will not hear remakes of Akaev's addresses, but something principally new, understandable for people.

Question: *It appears to me that, conversely, we are totally imitating the Euro-Atlantic civilization and forgetting our identity. We accept every Western institution as a panacea for all ills, specifically political parties. If those liberal ideas do not constitute people's needs, why would you impose them?*

Muratbek Imanaliev: Let us start with people's needs. What are our needs? Who is able to formulate the needs of the people of Kyrgyzstan, the needs of an ordinary person, of a city-dweller, of a village resident? I will tell you: their needs are the same as the needs of Japanese or Americans. But the problem is that besides forming a national system of values, there should be a mechanism for resolving this problem. This should be done by the elites: political elite, business elite and intellectual elite. In our case, unfortunately, the absence of these elites has led to a situation where shallow peasant chieftains are trying to substitute the elites. We see it happening and it is dangerous. The intellectual elite is not a group of well-educated people who graduated from Oxford. The intellectual elite is the carrier of certain ideas, and not necessarily on the national level. These are people, seeking to realize these ideas through such mechanisms as the business elite, the political elite and the local elite.

You aptly used the word "imitation." I am absolutely against imitation. The problem of our country is that instead of learning, we constantly try to imitate someone. Intellectual,

political and military elites of Japan came to understand that while recognizing the supremacy of European civilization and European education, they should preserve Japanese culture. Then they set the objective of adapting the European civilization to Japan, while preserving and developing the Japanese spirit. Therefore we should critically assess any suggested model; we cannot constantly change and talk of either Turkish or Chinese models. One should be able to critically absorb this positive experience, which may be of use to us. The state ideology should contain the elements of positive nationalism. We should not be shy about it, and this should be explained correctly. For example, ethnic groups residing in Kyrgyzstan should clearly understand that a titular, state-forming ethnicity is the engine which will pull out the country, for the titular ethnicity recognizes that everyone living in Kyrgyzstan enjoys all rights and obligations. Another problem for us is that the ethnic Kyrgyz have no other motherland, no other country where they could form a state. This is the only place in the world where this state could exist. Ethnic Uzbeks, Chinese, and Russians have always had historical memories of their

respective motherlands, but it does not mean that this problem should be politicized, it should be purely humanitarian.

It is a different issue that all non-Kyrgyz living in the country have equal rights, have the right to strengthen and develop their language, and to develop culture. At the same time, we should on the level of social contracts understand each other and should not reject each other. What do we have as a result of ethnic politics? We started rejecting each other, and this has resulted in a situation where the Russian-speaking population does not consider Kyrgyzstan, but Russia as its motherland. We should correctly explain the elements of positive nationalism; by doing so, we should not distance others, but, conversely, attract them and try to get them help us resolve our issues while we help them resolve their issues.

I am deeply convinced that you should always openly negotiate, because the system of social contracts is the most important mechanism, and because social contracts are eventually formed into specific traditions, which are passed from one generation to another.

PROBLEMS OF GOVERNING THE STATE AFTER REVOLUTION

Valentin Bogatyrev:

“Above all, the March events resulted in the loss of the sanctity of state power”

On October 10th 2005, Valentin Bogatyrev talked at IPP on old and new problems of state governance after the March events. Bogatyrev is a director of the International Institute for Strategic Studies under the President of the Kyrgyz Republic, and is an adviser to the President.

Valentin Bogatyrev: Governing the state in a post-revolutionary time is a very interesting topic, but also quite a broad one. Let us leave aside the question of whether it was indeed a revolution and start a discussion proceeding from the facts that are available for us. I would divide the problems related to state governing into those that were passed on to new authority from the former period and still exist, and those that appeared as a result of the March 24th events and afterwards. These are slightly different problems. Talking about the problems that were passed on from the former regime, I would emphasize the following problems:

The biggest problem of state governing, in my opinion, was that that government was aloof to its people. The state itself was a Soviet state. As you know, it was constructed as an authoritarian system, in which people, society, social institutions did not decide anything. They were neither the founders of this state, nor were they the participants in the state governing process. It was in the Soviet times and the same system continued functioning under Akaev. This is the first problem that is also left at present.

The second point that could be noted is the absence of clear goals of governing. Any governing is, above all, the identification of goals. Nobody can say presently what the goals of that state were, just as nobody can say what the goals of the current government are. Some things that were put forward as goals in no way can be considered to be such. The goal of state development is something that essentially changes people's lives in its fullest volume. For instance, the "Complex Foundations of Development" program – the most systemic nation-wide program that had as one of its objectives overcoming poverty – was being posed as such a goal. Overcoming poverty is one component in the lives of people, which in fact comes as a consequence of a range of other things connected with economic development, change of social system, change of a person himself – his thinking, social morality, etc. Poverty is one of the components that may or may not be present in any society; i.e. poverty may exist in the society of sufficiently high moral standards with a developed system of governance and a good social set, and it may not exist in a disfranchised totalitarian society. Therefore, overcoming poverty cannot be a goal for the state. We tried to imitate the Swiss, Malaysian, and Chinese models of development, but indeed it was nothing more than a try. There was no real vision of the future in the minds of people as well as of the state officials.

Another problem that existed then and, unfortunately, still remains today is that the ideology of state governance itself was a Soviet one, meaning that the state was understood to have some primacy over society, people and man. The state was the highest authority that decided everything in man's destiny for him; and if the question arose – whether man or state – the latter was always a priority. That was the ideology of the state, and we were first asked to think about the motherland and then about ourselves. Motherland implied the state. The Soviet ideology of state governance has not disappeared despite 15 years of democratic changes.

Another problem was and remains the bad structure of governance itself. It is connected to

the fact that that our government is a copy of the Soviet government. While some changes took place, the principles of the organization of the Soviet government, as well as its functions, remained intact.

Those were the functions of deciding everything for everybody. For instance, I still do not understand why we have the Ministry of Agriculture? In a situation, when the whole land is private and there are 86 thousand of farmers working, for what reason does the Ministry of Agriculture exist in its current form? It represents an exact copy of the Soviet ministry. Moreover,

there is no state property in agriculture now. The state still owns transportation – roads are the state's property. But in agriculture the state owns almost nothing. It is not clear why then the ministry exists, what it governs, or what it does... Nevertheless, a whole range of such ministries existed.

The problem of administrative division is a separate issue. I think that in no other state is there such a number of territorial administrative units as we have. Taking into account the fact that akims and local state administration have lost all the resources that they used to possess earlier in order to govern territories, nevertheless, they continue to exist simply as a spoke in the wheel, not more than that. Of course, possessing no resources, but willing to govern, they interfere, administrate, compel everybody around to work for them and thereby create very big problems for virtually everybody.

There is corruption as well, i.e. the whole system of state governance is highly corrupt. It is not an "achievement" of Kyrgyzstan only; it exists in any state. In Russia there is horrible



Valentin Bogatyrev

Director of the International Institute for Strategic Studies under the President of Kyrgyzstan; adviser to the President of Kyrgyzstan.

In 1988-91 served as Deputy Minister of People's Education of Kyrgyzstan;

1989-95 – director, co-director of Central Asian School of Cultural Politics; 1995-2002- director of the Institute for Ethnic Politics. Bogatyrev is chairman of the Board of Trustees of the European Club in Kyrgyzstan.

corruption, and everybody that comes here says that Kyrgyzstan, compared to Russia, is just a paradise. The officials are thousand times more impertinent there and take a thousand times more than they do in Kyrgyzstan. However, there is one peculiarity there: if they take money, they do things. In our country, they take money, but do not do their tasks.

Also, there is the problem of clan issues in the selection of cadres. Obviously, somebody here is from the north, somebody is from the south, somebody is from Kemin, somebody is from Talas, but we know one fact: for 40 years we were governed by Sarbagishes. Even if Usubaliev, Akaev were ideal, there still were privileges, priorities for people from this clan or for people related to it. It was a case the governance structures, in science and education – everywhere. It is a fact that is hard to dispute. In Soviet times, there was a system of quotas in terms of representation. Nevertheless, in spite of that, only some positions were under quota, for instance those of ministers. Yet, on the level of chiefs of the ministries' departments one could do whatever he liked. Obviously, there were clan-based and region-based disproportions in the systems of governance.

We had all these factors as an inheritance by March of this year. Unfortunately however, since the March events the situation has not improved. Revolution never improves the situation. In this sense, if we consider those events as a revolution, then it worked as a classical revolution. However, some other things also happened.

Above all, the sanctity of power was completely lost. In the Kyrgyz national tradition, as well as in the tsarist Russian autocratic tradition and in the Soviet authoritarian tradition – the state power was always recognized as an ultimate authority. The traditional society, to which we belong, is also founded on the authority of power. On March 24, the whole sanctity of power completely collapsed; it became clear that one can easily do whatever he likes with power. On the one hand, it is good in terms of formation of democratic consciousness, preventing us from worshiping the regime. But on the other hand, it is bad from the point of

view that any respect for the regime and the law completely vanishes. Restoration of trust to the regime and credence to the power of law is a fairly difficult point, and it requires a long period of time.

Second, the question of legitimacy of the regime itself arose and it concerns everybody, including Jogorku Kenesh. In my opinion, thanks to God that it was not dissolved at that time and now it lives as if under the sword of Damocles. For people, this Jogorku Kenesh still remains semi-legitimate; it lives with this “birth trauma” from its very birth. There was also a problem of legitimacy of the President, but it was resolved by the last elections while Jogorku Kenesh will have to wait until the next elections.

Furthermore, we saw a loss of executive authority. The seizure of power at the local level started with the old concept: power is not given, it is taken. Some districts had up to five akims at the same time. The power vertical was destroyed. Now it is restored, but not completely. Recently, the president admitted that in the period of revolution, many casual people ended up in power. All sorts of national, revolutionary committees resting upon the demagogy of revolution tried to control the situation at the local levels, establishing their authority. Local municipalities seriously suffered. Nevertheless, soon we will have municipal elections, which should normalize the situation there, at the bottom level.

Some customary frames were destroyed. Earlier everybody understood the division power between the Parliament, President, government, and courts, but now everything is constitutionally changed. It means that not every structure is functioning at present, and anything can be called into question. The distribution of power between the branches of authority is also called into question. It is especially noticeable in the famous agreement between Bakiev and Kulov – it turns everything upside down. When you read it, you do not understand who is responsible for what, and who is supposed to do what. And in the project of the constitution, published by the constitutional meeting till recent changes, also everything spins around the point of distribution

of power, around pulling more power. Some people think that more power should be allocated to the parliament, others think it should go to the government, and still others think that more power should be given to the president. And so long as we do not complete the constitutional reform and approve the new constitution, so long it does not come into effect, the period of unbalancing of the state government will continue.

One more negative thing that happened after the March events was the drastic politicization of the system of state governance itself. Governance should obey certain rules. For instance, realization of one or another administrative objective should be carried out by people who make up a team, with common concepts and goals. Otherwise, you would not have good governance. We have an absolutely different situation: we have a team with members each having different goals. The people that came to power were united by one goal – to replace Akaev. It was the sole thing that united them, because they had no idea of how it would be after Akaev; they either had no vision about it at all, or their visions were different. Predictably, when they achieved their goal and Akaev was no longer there, it turned out that they did not have a common vision about what the future would be like and what way we would move. Moreover, the new leadership consisted of people who would not even sit next to each other in a regular situation: we had radical communists, like Klara Ajibekova, and radical democrats.

The absence of clear goals and the drastic politicization of governance is seriously disturbing now. It means that at present the government will not be able to perform any conceptual work; it looks like a coalition since it is a product of consensus of various political powers. Such governments, as a rule, never make long-term programs, meeting only present practical challenges.

In this light, it is good that the group of people, apparently familiar to you, was voted down by the Parliament during confirmation of Cabinet members. They were replaced by professionals, specialists in some branches.

These people are not so politicized, and it means that there is still a hope that the government will be able to perform as a real body of governance. Sure, it will not accomplish many outstanding breakthroughs, but it will be able to perform as one body of governance. I think that in the current transition period we need exactly this kind of government, able to at least somehow maintain the functioning of the whole state system.

As a result of cadre reshuffling, many people with no experience in the system of governance received administrative positions in many places. It is not their fault, it is our common misfortune. To me, as a person working for a long time in the system of administration, it is evident how sharply the level of administrative culture has dropped, starting from the presidential administration and finishing with the akims. The principle of complex recruitment, stipulated by the law on state service, has been ignored. In some places, people get appointed without any competition or any selection.

Finally, we have what I call, new corruption. After coming to power, people have initiated the repartitioning of property and repartitioning of control over financial flows that existed earlier. Such processes have already been happening everywhere; it cannot be denied, and it is something that the new regime has brought. This was a short introduction, now we may start answering your questions.

Question: *In your opinion, what would be the changes in administrative structure in the case of the republic turning to a parliamentary system of governance?*

Valentin Bogatyrev: It does not depend on the system of governance; it all is decided by people. From the point of view of governance, in a state like ours, there should be five ministries. However, I know for sure that in our parliament my suggestion will never pass. I saw what the Parliament did when discussing the issue of ministries – it liquidated nothing, but was simply adding ministries. A pitiable attempt to slightly reduce their number faced a mighty resistance. However, Bakiev and his administration were not then called “a corrupted

scheme, a mob scheme". Yet, they merely made an attempt to slightly reduce the number of ministries. I assure you that if we now turn to a parliamentary republic, we shall have as many ministries as the number of members in parliament. It is due to the reason that they push for their interests.

Parliamentary republic is a super thing, but it requires, first of all, a certain degree of consolidation in society, and second, a certain degree of political culture. We get accustomed to thinking of a ministry as something good because it means a position, a car, an opportunity to lobby a job for someone, etc. We will never manage to follow the logic of optimization of the government, even if we would introduce the parliamentary system of governance.

This is only one objection to the idea of a parliamentary system of governance. I see that in the societies that have passed far on this path, the prevalent parliamentarianism gives rise to many problems. In Germany there is a developed parliamentary system, and look what is happening there now – they have gotten themselves in deadlock. In principle, I think that we should have the same system like in Germany, i.e. there should be a president as a symbol of the unity of people and the unity of state, but decisions should be made by the parliament and government.

Parliamentarianism implies the presence of political parties. Parliamentarianism without political parties – is a kurultay: people gather, talk, and continue doing what they like. If you remember the history of the Kyrgyz, such things worked only when there was a binding factor such as an external enemy. When the external enemy appeared, everybody would get together, make agreements, and do things as was agreed. Then, after defeating the enemy, everybody would gather for celebration and start quarrelling with each other again. That is all: when the enemy disappears – the parliamentarianism is over. That is why it is a very complicated issue... The parliamentarianism is good, it is great. However, when, to what degree, and in what form – this is the question.

Question: *Presently the legitimacy is being doubted due to the changes in the constitution that are taking place again. Will it not happen again that after the new constitution is adopted, the President will go for new elections as though for his first term, as happened in 1995 already?*

Valentin Bogatyrev: From my point of view, after adoption of the new constitution, all state bodies, starting with president, should be elected anew in accordance with this new constitution. The president, parliament, courts, government – everybody should be elected anew. You know the viewpoint of the parliament: in the parliament, additional members should be elected along the party lists without touching the current deputies. It is their position, and they will be defending it while adopting a document that will regulate the implementation of this constitution. The president has another viewpoint: not to hold reelection for the president, but only for the parliament.

However, I think that there is no need to hurry with amending the constitution. We should do it in a normal mode. Regardless, it will go this way: until December 25th we have a period of work for the constitutional meeting, then the procedure of adopting the constitution will be implemented. Three more months will be given for examination and conclusions by the constitutional court. Then the constitution will be examined in the parliament. Deputies have a right to examine the project as a whole and have a right to make amendments. In case they reject the project as a whole, they will only be able to come back to it in half a year. At best we will get a new constitution in May-June. It would be better if it would happen before the end of the current session of parliament and we could easily set elections for autumn.

I would also hold the presidential elections – in order to strengthen the legitimacy of president. However, there is one simple instance: if Bakiev were to be elected under the new constitution, it would be possible for him, just like it was for Akaev, to start counting his presidential terms starting from the new date.

If the current parliament would have additional members being elected, for instance along party lists, it could get new authorities. But there is one problem with parties. We already had such an experience in 2000: the deputies were elected along the party lists and we remember what we ended up with. There was almost no party fraction within the parliament that reflected the condition of political parties. An attempt to stimulate development of parties by introducing a proportional system ended badly – more parties developed, but they did not become better. National parties did not appear. The sole one – Arnamys, which was formed in 1998 right before those elections, still exists today. “Adilet” – is not a party, “Moya strana” also raises many questions. It is not a mass party. In other words, the proportional system by itself does not guarantee the development of parties.

The development of parties is a complicated process, related to the question of why a party emerges. Above all, a party should be able to find some niche in society upon which it could rest. However, in our society nothing has settled yet. We could easily form a party of Dordoi market. The Dordoi market is a serious place. It yields to the state more than energy resources do. In this party there would be 200 thousand people – so many people are employed in the market or around it and these people have common interests. And all the rest society today is in a constant process of motion and changes. As long as this society does not get settled, there will not be good powerful parties; they will just keep being the parties of certain leaders which, in their turn, position themselves either toward the power or toward some other political leaders.

The question with parties is complicated, they should be given time – a year or two years – in order to be able to accept the rules of the game, in order for them to know in what way the parliament will be elected so that they could prepare for it.

Question: *Should we perceive political parties as a possible panacea in our situation?*

Valentin Bogatyrev: At present time, the process of parties withering away is going on. Parties as a tool is from the 19th century. In the 18th century the thing was given birth; in the 19th century it flourished; and then it started to die out. As a prevalent form of a social operation we have movements, implying unification of people to achieve a clear goal in a limited time.

Question: *Yet, the party is an institute of democracy which is needed for putting forward candidates, isn't it?*

Valentin Bogatyrev: You know, as an example I can give you the project of “Alga, Kyrgyzstan!” Would you call it a party or not? It is a classic sample made specifically for elections; a movement which has one specific goal – to obtain a certain number of seats in the parliament; it reaches this goal and falls apart. Another example is Narodnoye Dvijeniye Kyrgyzstana (People’s Movement of Kyrgyzstan). It is not in existence now; all that is left of it will soon finally fall apart. It means that no other goal is available there. If you would set a more long-term goal, you could hold out little longer. For instance, if you would set a goal – to try to get half of the members of the parliament to be females – then you could work around two hundred years and you will have this goal before you. That is why I think that everything should be done in the form of movements: to get people into parliament only to achieve a certain goal. For instance, some people think that Kyrgyzstan should not side with Russia, but with America. They can create a movement, make their way into the parliament and realize their goals.

Question: *What is the role of the Institute for Strategic Research in elaborating strategic goals and providing them to the state for consideration so that these aims become enabled within the state governance?*

Valentin Bogatyrev: Originally the Institute for Strategic Research was created for researching the problems of military-political security. Under the word “strategic” not the strategy of the state was implied, but geopolitics – the relationship with other states; where threats may come from; who we have an alliance with. For the last

three years, the Institute is just partly occupied with this task, but mainly with risks and threats to development. In other words, our task at present is not to set out a strategy, but to see possible risks and threats to the development of the state, to show them, and to suggest our versions of solutions. Why can it not devote itself to elaboration of strategies? Because this is a function of elite. The national elite should do it, not the scientists. Scientists will write a pile of various models for you; soon we will publish a book named as “Kyrgyzstan – 2005”, where some different strategies will be expounded; but all of it is just written on the paper. Strategies are not made like that. They should be born in the heads of the elite part of society, which will form an idea about what the state should be like. This part of society feels a responsibility for the state, and the ideas elaborated by them start to live in society in the form of values. The national strategy is a way of setting of motivation. No institute can do it, whatever pictures and scenarios they may write. We should do it all together.

Question: *Is it necessary to wait till the political elite grows up?*

Valentin Bogatyrev: There are some people, who know what should be done. For instance, in the sphere of economics Daniyar Usenov is one of them. He knows for sure what should be done in economics. But for all that, having no time to start working, Daniyar Usenov acquired himself a million enemies, a reputation as a tale-teller and as a lobbyist for Kazakh interests, etc. As a person who could implement economic reforms in the state, he felt everything on his own back. However, his chances are strictly limited due to the reasons I have mentioned. This means that he will be trusted less now.

We have a gap between generations. Those people that grew up under the new system and are able to move further did not pick enough political weight yet in order to usher in a great, new politics. Moreover, you know it that there is nothing to do at a young age in politics. We have a traditional society – the respected ones are those who have lived longer. Therefore, according to my estimation, there is a gap of

seven years. We shall live in the same routine until other people will come who will move the state further. And we cannot do anything about it. You cannot prevent that the president of the state at present becomes one of you. In order for it to happen a long time is needed.

The whole hope is upon you – the youth movements of “Arnamys” and “KelKel”, the civil society and young parties. It is a single force, which does not allow the regime to back off. I was completely disappointed with the events taking place after March 24. It seemed like at that moment the civil society could have a chance to get abreast with the government and to dictate to the regime its conditions; however, it was quiet. During three weeks there was an absolute trance, and only in April, with great efforts, they managed to convoke a civil forum. The hope is upon civil society and youth, that they will manage to set, transmit, and demand new formats and new standards, and then something will start happening.

Plus, of course, the system of state governance should be changed in terms of its reduction, contraction of its powers and opportunities. The state should be grimly pressed so that it becomes as minimal as possible – due to reduction of functions and due to reduction of officers. I think that neither regional nor provincial akims are needed. And the bodies of state administration, as governing bodies, are not needed. At the local levels there should be the so-called centers of state services. The territory of the state should be divided in such a way that a man could access these centers and get back home within the daylight hours. A man must be able to receive everything there that the government owes to him for all the taxes he pays. Centers of state services are the single thing that should be present in such a small state like ours.

Question: *Will this not lead to more destabilization?*

Valentin Bogatyrev: However, then there would be no district governments – akimiats – there would be no positions which somebody would want to get! If you remove the akimiat from a rayon, nobody will notice except the akim himself and the people that worked for

him. However, if you remove the department where people receive their pensions, or a school for instance, then people will notice it. Exactly these systems of state service should be functioning, but the akim has nothing to do with them since he is not the one who manages this situation. The ones who manage it are either the central or local self-administration – ayil okmotu. Ayil okmotu should decide every issue on their territory, including budget issues. The sole thing that state should do, for instance with respect to schools, is to set certain standards in education and to do everything which is provided in the state budget for the education of one child – for sending this child to this school so that this school could afford it. I do not understand why the regional department of education is needed for that role. However, the militia should become municipal just as everywhere else in the world.

Question: *How would you appraise the changes after events in March for the political system in general?*

Valentin Bogatyrev: I would prefer that the shift of regime did occur not in the way it did on March 24th, but in a way that is provided for according to law, i.e. according to the constitution. However, I think that in this situation there was no other way of shifting the regime. Without such pressure Akaev would not

leave. There are many shortcomings in it, I had already talked about them, but there is a huge advantage as well. First, hope has emerged. For many people, the hope that something will start changing, that something will happen in their lives has emerged – not that the regime would become better, but that something in their lives would become better. Second, and this is very important, the positive process of mixing of people has taken place in the state – a big mixing. As a result the homogeneity of people is becoming assured, which is a very important process.

It is interesting to live here. If you have ever been to Europe, it is unbearably boring there. If you have been to Russia, it is unbearably blackguardly there. Yet, here it is interesting. Journalists from foreign states are striving to come here to work, as they say that all the time something is happening here. We live in a happy time, because we are not bored to live. Our life is much better than the life of an American citizen, especially in some town where everything is repugantly good, but he is absolutely bored. He knows what he will be doing in 10, 15 years. He likely will be going to the same work, except the salary will be gradually increasing. Yet, we have chances for the realization of a person, so that he can do something that will be very good.

Djoomart Otorbaev:

“Heightened popular expectations give the government months, not years”



The guest of our issue, Djoomart Otorbaev, is one of few specialists in Kyrgyzstan working closely with both current and potential foreign investors. Djoomart is Director-General of Philips Electronics Corporation office in Kyrgyzstan, and vice President of the corporation in Central Asia. In 2001-2004 he served as the President's Special representative on attracting foreign investments. In 2002-2005 he also served as deputy Prime Minister of Kyrgyzstan. At the moment, Djoomart Otorbaev is head of the “Investment Round Table” Public Union in Bishkek.

IPP: *Djoomart Kaipovich, eight months have passed since the March events. What qualitative changes, if any, have you noticed for this period?*

Djoomart Otorbaev: These eight months could be divided into two distinctive phases. First is the period after the March events and before the inauguration of the President and appointment of the Cabinet. The second period comes after this. Of course, we could not talk about special measures on the improvement of state governance before the Presidential elections and setting up the government. There were other priority issues: stabilization of the situation, holding elections for legitimate power branches. As for the second phase, we can talk about no more than three months. On the one hand, this is little time; it takes longer for changes in the state governance system. But on the other hand, this government has no time. The revolution caused very high popular political, economic, and social expectations. People are waiting, and one cannot promise improvements in three years. We have months, not years. The current government has very serious, fundamental tasks, which cannot be solved without fundamental changes in the state governance.

IPP: *What changes do you mean?*

Djoomart Otorbaev: The term good governance covers everything. What does it mean? It is clarity in functional responsibilities of the government in general, and in ministries and agencies in particular; accurate, professional performance of officials, not to mention the bribery problem. I mean highly professional execution of direct responsibilities,

be it a minister or his assistant. Economics should work as a clock. Who now will be responsible for economics? Who will make laws? Who will correctly monitor law enforcement? How to change the currently existing bureaucratic conglomeration? How to tackle the problem of extortion in law enforcement and fiscal agencies? How to make state and joint stock companies work effectively, without appropriating money? Finally, how to end theft in the energy sector? All these problems are on the surface, and cause visible popular dissatisfaction.

IPP: *How do foreign investors see the current situation in Kyrgyzstan?*

Djoomart Otorbaev: Revolutions never improve the investment climate in any country. Why? Business likes silence. Revolution is not silence, but just the opposite. So, now we should talk not about how to improve the investment climate, but how to reduce the potential outflow of investments. State agencies should immediately help business and stop extortions, inspections, and humiliating entrepreneurs. Only state agencies, government, can do this. Government should demonstrate that it cares about existing investors, and would care about future investors. This is the main task. Unfortunately, there have not been sufficient measures taken in this regard. We see that businessmen are detained with no proper investigation, investigators mock entrepreneurs... This will bring no good.

IPP: *Even if the government works as it should, does Kyrgyzstan have anything to offer investors?*

Djoomart Otorbaev: Of course, yes. First of all, we have excellent human capital. We have a multi-lingual, well-educated young generation. We should create jobs for them by attracting investments. These are people who would work hard for relatively low pay. They should work in the areas where human knowledge is needed – services, creating conditions for transnational corporations. We should go beyond production – towards serving as a transit point for goods and services, for example in the financial sector, tourism, agriculture processing, information technologies, and consulting. Here, between China, Russia and Kazakhstan, we can take good advantage of our location, not as a domestic market, but as a provider of consulting services, using our brains.

IPP: *You currently head the “Investment round table” Public Union. Could you tell us about your professional activities?*

Djoomart Otorbaev: Our main goal is to improve the business environment and investment climate in Kyrgyzstan. How do we implement it? We talk to businessmen,

business associations, and investors to learn about their priority matters. Then we talk to the government, and together with the government, Parliament, investors and donors, we work out and implement action plans to improve the business environment in a short period of time: how many laws do we need and in what areas, what normative acts to regulate business activities do we need to become more competitive vis-à-vis our neighbors... That is, we position ourselves as an expert consulting organization between business and state agencies, to ensure that, despite fast political developments, economics keep working, investments keep coming, and people’s revenue keep growing. This is our macro task. We have very strong experts, people who worked both for the state and the private sector. They promote our goals via direct contacts with the business sector and by working with the state agencies to deliver the messages of private business.

IPP: *We thank you very much, and wish you the best of success.*

POST-MARCH KYRGYZSTAN: WHERE TO GO?

Member of Jogorku Kenesh Jantoro Satybaldiev and the President’s representative in Jogorku Kenesh Daniyar Narymbaev debated on constitutional changes, administrative reforms, and other post-March governance issues at an IPP-organized roundtable on 18 November 2005. Chinara Jakypova, Director General of the Institute for Public Policy, moderated the discussion.

Jantoro Satybaldiev:

A unique opportunity to return Kyrgyzstan to a democratic course has appeared after March 24th. Unfortunately, we have failed to take advantage of it. Perhaps indeed, as Kurmanbek Salievich has said, the opposition was not ready to take over the government. There was not any shadow Cabinet, nor any



Jantoro Satybaldiev
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program to proceed with reforms. It seems to me that a primary reason for our failure in developing a system of government is that we do not yet know what we want. The shortcoming of the present administration is that it wastes a lot of time putting itself in motion. One may find both strengths and weaknesses in the proposed structure of a Cabinet. The Cabinet, formed in September, does not have clearly defined priorities. Any Cabinet should have several tasks to fulfill in the near future. Long-term issues were identified by the President during his campaign tours throughout the country; but we did not see in the immediate objectives of the Cabinet any clear measures to resolve those issues identified by the President. That is why the structure of the

Cabinet is not thoroughly developed, perhaps even amorphous, leading to the formation of several branches of power within the Cabinet. There is a Cabinet approved by the parliament: the Prime Minister recommends members, the president approves and submits for consideration by the parliament, and only after that follows their appointment. Another body has appeared under the aegis of the Cabinet – the so-called administrative agency, which consists of about 14-15 people. Then there is one more block under the President's immediate supervision, consisting of so-called economy-generating enterprises: "Kyrgyztelecom", "Kyrgyzenergo", aviation, railways, "Kyrgyzneftegaz", production of alcohol, "Kyrgyzaltyn". All of these enterprises are supervised by the President's administration under the immediate supervision of the President. Here we have a paradoxical situation wherein the Cabinet is responsible for this economic block, but at the same time does not participate in the formation of the management of these enterprises. Therefore these enterprises are not accountable to the Cabinet. We do not need to go far for an example: the Prime Minister recommended firing the Director General of "Komur" State Enterprise during one of his business trips to the Bishkek thermoelectric heating station. The next day, the Director General said at a press-conference that: "He has not grown enough in order to fire me". This means that the Prime Minister is unable to fully govern. Thus, the authorities lose power.

After all, an ordinary voter, our citizens do not care which branch of power does not serve them: local officials, oblast or district officials, the Prime Minister or the President. They criticize the authorities and their representatives. I think that the first shortcoming is due to imperfection of the governing system of the central government. Secondly, political decentralization has not taken place. In my opinion, the core of a democratic society is political decentralization. If you have noticed, the "White House" appoints any position of importance, or at least it approves the appointment. Since we are building a democratic state, I think we must separate powers. For instance, local services are to be provided by 'ayil okmotu' (local self government). There are lots of other shortcomings.

The events which took place in October have demonstrated that criminal elements have coalesced with the law-enforcement bodies. And

we are reaping the fruits of this merger. The authorities always say they do not have time. I absolutely disagree with this. Officials who have come to power, be it a Prime Minister or a director, must work and create favorable conditions for the people from the very first day of their appointment. But they are telling us: "give us time, we'll improve your lives in a year or two". Someone may not like this, but this is not a graduate school where one can defend his dissertation in two or five years and get an advanced degree. Here we have a problem, and I think the Prime Minister and the President will make a leap in this regard.

Daniyar Narymbaev: Mar Baijiev, our well known writer, has a play with a very good title – "I don't promise you a paradise". It seems to me that today all of us, the entire society, has overstated



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expectations from March 24th; these expectations are overstated both in volume and in terms. The revolution has happened and much time has passed since. Where are the results? Where is the long-awaited order? I think these overstated expectations are inertial; they will exist in the society for a while, and of course will be sustained by

certain forces. I would urge everyone to look at matters more realistically. I fully agree that the revolution was totally unexpected to all of the participants, and that the confusion that the new government had at that time still remains. But, I think this is a natural process, and any government will delve into the situation deeper day by day. It is necessary to take control over all the areas of governance. This is a very important problem, but it cannot be solved before the following question is answered: will we have a continuity of power succession, or will we completely deny everything done by the previous regime? It is important that the public consciousness also develops an attitude towards this issue. Unsettled, this issue will continue to cause distemper. We will continue criticizing each other, see only shortcomings, and thinking that

we are right and our opponents are wrong. I think we should carry out a constitutional reform in order to solve this issue, if we are able to use this tool properly and bring it to an end. The main goal of the constitutional reform is to try to collect all political forces of the country at a round table and reach agreements on basic issues, such as distribution of powers, judicial reform, and others. If we are able to do this, then we will probably be able to solve a lot of other issues.

Secondly (with all respect to Jantoro Joldoshevich and to all MPs), we have to understand that the parliament is from the previous epoch, whereas the President is not of the same kidney, as it happened. Still, both the parliament and the President realize that this contradiction needs to be evened out. We are doomed to coexist and to interact, not to oppose to each other. I think this is very important; in case this issue is resolved by means of a constitutional reform, then an excessive and unjustified tension will disappear, which is observed now between the executive and legislative branches. We need more constructive interaction between the branches of power, and the constitutional reform should cross all t's and dot all i's. No matter how many times I, as a Presidential Envoy, or the President himself state that he is going to work with this parliament for the rest of its term, there is a distrust in parliament towards the President, and it influences many other decisions. Therefore, I would point out continuity of power succession as a primary problem. If the President, as the head of state and the most legitimate person at present (because he was elected recently and trusted by people after all the troubled events), having realized his role and the uniqueness of his position, will be able to make use of his benefits in order to reduce tension in the society, then I guess he will acquire a right to be called "a father of the nation". Everyone present here has a sober mind and realizes that there are no wonders in the economy. Irrespective of how good or bad a Cabinet we have, nothing super-natural could happen during this period of time. The fact is that this – the Cabinet together with the parliament managed to take the situation under control in such a short period of time. From an economic point of view, we might have been even in a worse condition compared to the present, although the administration is being criticized quite fairly.

One of the positive results of March 24th I consider to be the freedom of speech, particularly in electronic mass media. I assume that nobody can deny this. The more the state does not interfere and make attempts to regulate this process, the more it will penetrate the people's minds, the more it will become customary, and thus the more difficult it will be "to screw a nut tight". I would say that this is a positive thing, and in case the President and the Cabinet continue moving along this line, then we will get good results. In my opinion, democracy is not only about electoral procedures, but also a freedom of speech, it is very important. It is also important that the President has submitted for nation-wide public discussion a draft law on changes and amendments to the Constitution, which is very well balanced and thorough. The President fears going from one extreme to another, and therefore does not make any radical decisions concerning changes in the form of government. Indeed, there are many viewpoints. According to the parliament of course, the Kyrgyz Republic should be a parliamentary republic; according to representatives of the executive, it should be a strong presidential-parliamentary republic. That is why the President has to choose the best option. This is the second big problem as I see it. If the President succeeds in this, then we may hope that our country will overcome the crisis of a new government and develop in a positive direction.

But these things are not as obvious as they may appear. I doubt just as you do whether it will happen. Another very important question - all of us must clearly understand that we will not be able to write a constitution for the future, for our posterity. No need to cherish hopes; let us be more modest. God grant that we write a constitution which would help us in resolving conflicts in the coming years, even for the term of office of the current President, with this parliament, for the coming five years. This is important, and therefore the Constitution will be permeated with today's problems; this is not a fast horse tearing along the steppe, but a document that will solve today's problems. And we need to try to clearly see where this situation will bring us in the future. Once we decided to work with this parliament, will this work be constructive? If this Cabinet headed by the incumbent Prime Minister remains, what are the chances for a mutually sustained dialogue, so that everyone would proceed in one direction? If we fail to achieve those things, we will lose the

pace before we speed up. Unfortunately, in the history of the Kyrgyz Republic, the President and the parliament have never worked together hand in hand by supporting each other, just like there has never been a Cabinet which was independent enough to decisively implement economic reforms. We do not have a precedent to follow. Now we are to create such a precedent. Is the parliament ready for that? Are the President and the Cabinet ready for that? These are questions that I would point out as the main problems.

Muratbek Imanaliev: For me, the question is in a slightly different context, rather in a historical-worldview aspect. While analyzing 15 years of the previous President's rule and the present situation, I have a question that needs to be answered: are we able and can we manage our own liberty? Let us try to answer: can we govern ourselves? This is not a question of the existence of the state, since in the second part of the 20th century there were no attempts to seize it, with the exception of isolated instances. New enemies have emerged, new constructions of a hostile nature, especially now. There are a number of states that are referred to as states, but are not states in reality. The problem is that the old administration was not able, just like the new administration is not able, to provide a correct elaboration of a system of national interests. This is the main problem that we have faced. A system of national interests is what should be the basis of state building. Yet I do not see that the head of the state or representatives of other branches of power have created this system. Therefore, personal interests, personal sympathies and antipathies influence the government, which are being felt today too. There is no conception. "Conception" is today's well-trodden word, just like "democracy". Yet it is hard to imagine your direction if you do not have a conception. There is a problem of the absence of elite, above all intellectual elite, political elite, business elite, who could form a conception. And petty peasant leaders like Mr. Motuev are attempting to occupy this niche. And there are many Motuevs around the country. The precedent with Motuev leads to very dangerous phenomena. In fact, this is an "autonomization" of state functions. The constitution is very important, and it is a legal component of the conception of state development. Honestly, I am very pessimistic on the work of the Constitutional Council, since a

real, authentic constitutional council should not work like that. I do not like the looks of it when the President says that the Council is only an advisory body, and that he does not give a damn about the Council's decisions. I am afraid we may repeat the 2003 Constitutional Reform.

Question: *It was very interesting to listen to all four speakers, and I would like to ask Daniyar Ilich, as the President's Representative to the Parliament: Does the abolition of the Ministry for Local Self-Government means that the President has retreated from reforms in local self-government? We are aware of the weakness of the central government in the provinces. Perhaps, transfer of more powers to local government is the main issue in the reform of government.*

Daniyar Narymbaev: Firstly, a national agency on local self-government has just been established. As far as I know, a chief of this agency has not been appointed yet; however, the Cabinet and the President's Administration are working on its statutes. In other words, this problem has not been abandoned by the President; he has not discarded the previous experience. Recently, the President has received proposals on canceling elections on December 18th, and similar proposals were mentioned during the last meeting of the Constitutional Council. Many people are worried that these elections could provoke local conflicts, and even result in bloodshed. It comes down to the division of people by tribes in a struggle for a position of ayl okmotu (the executive head of a local self government body). In other words, our attempt to democratize faces off on the level of our culture, and not even culture but our national peculiarities that finally lead to negative things. But I would point out that the President had clearly said: "We will not allow a reduction in the level of democracy"; therefore these elections will take place. We must accustom ourselves to the fact that citizens should elect their local governors themselves. Only this way we will be able to provide for our future. Of course, effective management will not come immediately after resolving the issues of local importance. The president intends to continue with the policy of transferring certain state functions to local self-government, including financial matters, as local self-government succeeds in fulfilling this or that function. This requires careful approach and

balanced decisions. Therefore I am stressing that the reform of local self-government will be given a solid consideration, and by no means will there be any steps made towards decreasing the impact of local self-government.

Jantoro Satybaldiev: A young man has raised a very interesting question: Why are there calls for canceling elections for the heads of ayil okmotu? The first attempts to decentralize were made in 1996; enough time has passed since then, almost 10 years. Why then are people disappointed in local administrators? The reason is very simple: we carried out political decentralization; elections of heads of ayil okmotu took place in 2001, but decentralization of administrative and financial resources did not take place. People started to distrust ayil okmotu. Therefore we must create favorable conditions. How can they learn to govern if they are not given such an opportunity?

Indeed, continuity of power succession is necessary, it is obvious. On March 26th and 27th I addressed Kumanbek Salievich and other leaders with a question: "Which way will we head – constitutional or revolutionary?" The unanimous answer was constitutional. If that is true, we need to hurry up in carrying out reform. The next elections will really disappoint voters. It was said that the parliament is of the old kidney, but the President is not; I do not agree with this because there is not a single person of a new kidney in the present administration. They use the same pack, but find the parliament guilty. If the parliament did not approve seven members of the Cabinet, I assume it had reasons for that. If we are talking about continuity, then we should head this direction. Today some politicians say that the parliament should be dissolved so that a new one could be convened. Yet it will not result in anything new, as we have to change the system. If we were to form the parliament through party lists, then like-minded people would come there, and the majority in the parliament would form the Cabinet. Given the present situation, even if a new parliament convened after the dissolution of the current one, it would continue to criticize the Cabinet. Because they are not associates, they came to parliament to criticize. Most of current MPs were elected only because they criticized Akaev. But if Jogorku Kenesh is formed through party lists, then we will have associates in the government.

Question: *I would like to comment on Daniyar Ilich's speech stating that mass media became*

freer after March 24th. I partially agree that mass media has changed the way of covering events. However, this happened not due to government's loyalty, but because the society has changed. Today, as the Internet is widely spread throughout Bishkek, TV companies started to use information taken from electronic mass media. On the other hand, in fact, nothing has changed in the system of mass media regulation. About 30 TV companies have been in a queue for three years, waiting for a frequency, although it is well known that TV companies cannot exist without a frequency. The issue of reforming KTR (Kyrgyz State TV and Radio Company) was raised, but no practical steps were taken towards its implementation; a proposed statute on KTR has been waiting for Mr. Bakiev's consideration for a month already. Probably, in a second reading, the parliament will pass a draft law on KTR after December 20th, but nobody knows what it will look like. Mass media only seems to be free, and there are growing concerns that next year the government will start putting pressure on the mass media. As a citizen, I am interested in constitutional hearings on a new draft of constitutional amendments which is going to be approved. I would ask both speakers whether you really believe that a new text of the Constitution (which is likely to be approved just like under Akaev – through a simple referendum) will be better. Should we really rush with this matter just because the new administration has initiated it?

Jantoro Satybaldiev: I agree with you on the present situation regarding the freedom of speech. I am also concerned with the fact that frequencies are not allotted. This question needs to be resolved. I also do not believe in particular Constitutional reforms because they have been conducted in such a rush.... The current draft does not provide for a separation of powers. Akaev had to run away because he had concentrated huge powers in his and his family's hands. We should decentralize, but we do not want that. There is no separation of powers between the Cabinet, parliament and judiciary in the new draft. Yes, there will be another, fifth referendum but it will not change anything. I find to be good the idea of returning to the Constitution of 1993 and reforming it. We say that Akaev usurped power by conducting four referendums, but we move in the same direction.

Daniyar Narymbaev: The issue of Constitutional reform was raised by the parliament. On

Saturday, April 23rd MPs suddenly drafted documents, and on Monday morning a draft resolution on convening a Constitutional Council was distributed. The draft already defined the format of a Constitutional Council, and quotas for membership. All of this was done unexpectedly, and was not discussed beforehand in the respective Committee of the Parliament. I asked to be given the floor at a plenary, allowing us a day or two in order to digest all these issues and submit our proposals. Why such a rush? With what is it connected? My request was ignored; you can find everything in the transcript. And so the parliament voted to convene a Constitutional Council and immediately start working on Constitutional reform. The situation was inappropriate. Back then, we did not have a President but a Prime Minister acting as a President. According to the present Constitution, in this situation such a head of state does not have the right to do the following: dissolve the parliament, dismiss the Cabinet, initiate Constitutional reforms, and introduce amendments to the Constitution. I think that situation was incorrect additionally because within some two months the same parliament scheduled early presidential elections. Just imagine: a society which has just undergone a revolution is going to conduct presidential elections together with a Constitutional reform. I consider this to be a rushed decision. All of these decisions were made by the parliament; we did not urge it, but tried to convince it not to do that. Then, the first stage of the Constitutional reform has focused on a draft which was published in the "Obshesvennyi reiting" newspaper. New expressions like "upon the parliament's approval", "upon the parliament's consent" and others appeared in a section of the Constitution listing the powers of the parliament. This is the main point of the Constitutional reform. Redistribution of powers leads to a situation where the powers of the President are weakened, and correspondingly, powers of the parliament are strengthened. There is nothing else. These are interconnected vessels: a leading role in the government passes from the President to the parliament, or from the parliament to the President. As for the Cabinet, the present Constitution empowers it more than other similar presidential-parliamentary republics; our Cabinet has everything necessary. It is another matter when dull persons have always served as Prime Ministers and failed to fulfill their responsibilities.

Jantoro Satybaldiev: Daniyar Ilich, first of all, the Constitutional reform has started at the initiative of civil society; do not distort the facts. They recommended carrying out a Constitutional reform. Back then, I was in favor of the current Constitution. Everyone was criticizing it. Only sloths and fools did not, because Akaev concentrated all power in his own hands through the last referendum. There were pocket justices, and Akaev wanted to have a pocket parliament as well, whereas he had a pocket Cabinet long time before. So, civil society defined the quota – 50x50.

Daniyar Narymbaev: I agree with you on giving complete information; I omitted that civil society was the initiator of the Constitutional reform. What happened afterwards? Presidential elections were scheduled afterwards. As you see, in this situation we cannot think of anything else. Let us be frank, all of us were preparing for the presidential elections. Moreover, at that time Bakiev and Kulov have not formed an election alliance yet; all of us were afraid that both Kulov and Bakiev would run, and we did not know for whom we should vote. It was really difficult. Today we can say that we were relieved when an election alliance formed. As elections were scheduled and the registration of candidates started, on June 19th, as you may remember, the parliament passed a resolution requiring all candidates to sign a pledge on holding a nationwide public discussion on Constitutional amendments and submitting draft amendments to the parliament within two months of being sworn in as a President. The same resolution said that in case candidates refused to sign the pledge, the parliament would postpone the date of elections. This document exists – this is a fact. I have that resolution and that pledge. In such conditions, as you see, the president had signed that document with the exclusive goal of stabilizing the situation, and today he is acting within the terms of that pledge. This rush with the Constitutional reform was imposed on the President by the parliament; this is a fact. I agree with you that timewise it was inappropriate to conduct a Constitutional reform. I think that public opinion is inflamed by those well-known events; therefore now is not the best time to make decisions that will determine the future of our country. We saw together that a comma in the Basic Law can turn the flow of history. I would plea that we not rush, but calm down. However, perhaps now it is the right time to define some of

the basic issues. For instance, what will happen to the initiative of the “Erkindik” party to dissolve the parliament, which is disturbing the public? We cannot leave these questions unanswered. The head of the state must react to public opinion in a timely manner; if people require an answer for the most burning questions, he must immediately react and express his point of view in a way that it is adequately perceived by the public. And now the public has an opportunity to express its opinions and communicate it to the President, as there is a nation-wide public discussion of Constitutional amendments. I think that public discussion is the very opportunity to turn the flow of history, to influence it. Nothing is predetermined, and it is not decided that amendments will be approved through a referendum. It is not a fact yet, it is a question. We have two ways of adopting amendments: through the parliament or through a referendum. Personally, I am sure that this should be done through the parliament. Since we are going to work and live with this parliament for the next five years, we have to trust it. When we go to a referendum, it means that we do not trust this parliament. The first option would pull together and consolidate the President and the parliament. That is the first point. Secondly, it would be more correct to resolve such big and important questions through the parliament, because the parliament may say “yes” or “no” to this draft, whereas a referendum would rather say “yes”, because the majority of people will not read the draft. Who will administer a referendum? The same people who have already administered four to five referendums and mastered this craft. Even if Bakiev would lay himself out, they would do their ‘black deed’. No matter how many times he says: “do not employ administrative resources; do not stuff ballot boxes; follow the law”, those people still do everything the way they are got accustomed to. This happens because there is a tacit competition for reporting first on the results, like: “we have 101% of voters who voted in favor.”

Jantoro Satybaldiev: Why it was rushed? We must be objective. The public and the parliament wanted to see at least a draft with powers of the future President. That is why we have the parliament setting the rules. The current Constitution satisfies the administration 200%; the President has huge powers. We were imposing our wills in order to have all political reforms finished in 2005, so that in 2006 we could finally start improving our economy.

Question: *Daniyar Ilich has pointed out in his address that overstated expectations became one of the problems after March 24th. Is not the state itself a source of those overstated expectations? Following March 24th, Daniyar Usenov kept talking about millions being returned to state coffers from Akaev’s adherents. Mr. Bakiev says that investments are pouring into the economy. In addition, the administration reacts to developments in the country in different ways. On March 17th, two-three thousand protestors were dispersed with the help of rubber bullets and smoke barrels in half an hour; the authorities quickly established order. But they have failed to drive away a lone Motuev and 200-300 people from the Karakeche coal mine for six months already. Do you think the current administration is itself a source of overstated expectations and other problems in our country? Thank you.*

Daniyar Narymbaev: Yes, I should admit that your accusations are justified in terms of the administration giving way to such events. I guess the reason is inertia of the revolutionary way of thinking, which takes time to disappear. It was euphoria when the government suddenly fell on us. As the revolutionary inertia passes, we will sober up. And of course, it is very important to understand that the previous administration was not guilty for 100%. It is about the Constitution, and if one carefully reads into it, one will see such provisions as: Cabinet members are appointed only with the parliament’s approval. What has started working today was introduced back then. And that is also when a provision was introduced decreeing that the justices are appointed not only by the President but also by the parliament. These provisions of the Constitution are very important today as well. Jantoro Joldoshevich can confirm that we tried to dissect this scheme, the skeleton of this Constitution, and found out that it does not contain that many misapplications. Still there were two major evils. The first one: the number of seats in the parliament was significantly reduced, and it was formed through single mandate districts. This evil increased when put into practice through vote buying and the use of administrative resources, and many members of pro-Akaev party “Alga Kyrgyzstan” won seats. The second evil: the President was not liable, and therefore not responsible for anything done in the past or in the future. Article 53 of the Constitution gave him the possibility to commit any crime, without ever having to answer for it – neither when he is an incumbent President, nor when he

is retired. All of these things combined made him to act. In other words, not the Constitution itself was an evil, but the way it was used. If one studies the Constitution carefully, one may find out that there is not much to change – not 50%, but only 3-5%. The rest is normal, civilized. Today's parliament, which follows the current Constitution, hated by my opponent, demonstrated that it commands respect. And a very good example attesting to the above point is the fact that the parliament showed its position and disapproved seven appointees to the Cabinet, including the one for the post of the First Vice-Prime Minister. Before, the parliament would not dare to do that, but now it acts like this with impunity.

The parliament does have its position, and it is very important to understand and to respect it, just like the fact that the President counts with the parliament. When six appointees to the Cabinet were disapproved, it came as a blow to the President. But we endured this blow, suggested other candidates, and the parliament approved them. Everything is all right. We start to understand that we need to respect the parliament, that it has its own opinion, and that we must take this into account; it is very important.

Jantoro Satybaldiev: Daniyar Ilich, everything will be normal when you understand that Jogorku Kenesh is a different branch of power. Even today you want the President's Administration to manage the parliament as under Akaev. This will not work.

Question: *Jantoro Joldoshevich, let us say that the constitutional reform will not produce desirable results for Jogorku Kenesh, i.e. it will not result in additional powers for the parliament. Then, how do you think the parliament should restructure internally, institutionally, in order to work according to the new Constitution of 2005?*

Jantoro Satybaldiev: There is no Constitution of 2005 yet, it is just a draft. The draft produced by the working group (Daniyar Ilich and myself have worked on it throughout the entire summer) was published in full along with the current text of the Constitution. Whereas now when only the changes are published, it is very difficult to read. Daniyar Ilich himself has admitted that even holding a law degree it is very difficult to understand what is written there. I think that there will not be a tragedy even if this draft Constitution

will be adopted. The Jogorku Kenesh is also organically developing, its internal rules for example. The Standing Orders were a law before, whereas this draft does not contain it, and it is a very good step. I think that during public discussions they will remove a provision on parliamentary committees as well.

Daniyar Narymbaev: This proposal came from deputies; you wanted it yourselves. I suggested to you: let us not mention committees. But Tekebaev insisted on the opposite.

Jantoro Satybaldiev: There were ten committees in our draft, whereas there are only seven now. I think that if parliament will be elected with the proportional-majority system, this will give a certain impetus. Jogorku Kenesh, just like a society, is not perfect, and we should all admit this. We expect Jogorku Kenesh to be obedient, but it will never be obedient.

Question: *Today we have representatives of two branches of power: legislative and executive. And we feel a certain healthy antagonism between you. Does it reflect a certain abnormal situation in the society when we lack a strong independent judiciary; are there people in the country who could represent a strong judicial branch of power?*

Daniyar Narymbaev: First of all, you noted very well on healthy antagonism. In general, the legislative and executive branches of power are inherently bound to conflict with each other, constantly opposing each other. This is the very core of the matter; and after all, truth sprouts in discussion. In this case the Constitution is setting everyone in such a way as to generate these discussions and disputes. It is a different matter that these disputes should be conducted and resolved in a civilized manner. We are proceeding in this direction; disputes emerge. How painfully the bill on the Cabinet was passed. How painfully the structure and the members of the Cabinet were approved! A culture of opposing each other is being developed. We are trying to impose our point of view; they are trying to impose their own; and, as it is always the case that the truth is in the middle. The structure of the Cabinet was partially formed and changed according to the demands of deputies, and so was virtually one half of the composition of the Cabinet.

As for the judicial branch of power, inherently the judiciary cannot be public, like the executive and legislative branches. It is a completely closed

establishment. They have their own business and work, and they should not be dealing with reforms. The judiciary is inherently conservative. It works along those rules which are determined by a legislator, and to a large extent it does not engage in controversies. Our justices are not even interested in the prospects of the parliament and the rest. They are interested in their own issues only. Justices who are members of the Constitutional Council attend only those sessions dealing with the issues of the judiciary. This is normal, and this is the way it should be. But we lack a normal, strong judiciary which would be respected and honored by both the President and parliament, and this is what hurts the whole government.

Jantoro Satybaldiev: To strengthen the independence of justices we should reform the judicial branch of power, so that no one could resolve issues with a help of a phone call. This should not happen, the judiciary should be independent. How could it be done? Some suggested setting up a system of electing justices. However, this option was not even discussed at the Constitutional Council; there were other suggestions and timid attempts, but justices themselves do not want this.

Daniyar Narymbaev: They are afraid that these elections will be just like the parliamentary elections. Can you imagine when constituencies will be voting for their own people? How then could justices adjudicate when a good half of the constituency would be made up of their relatives who should also be adjudicated! If a candidate running for parliament does good by assisting with the renovation of a school building or promoting a certain bill, all of this is positive, whereas a justice works to produce a negative – he must try these people.

Question: *Besides the problems related to changes to the Constitution, which other short-term problems, requiring immediate solution, would you single out?*

Jantoro Satybaldiev: First of all – preparing the national economy for the winter. This we all should realize, including society, and journalists must enlighten this problem. If the winter will be cold and we are not prepared for it, then the executive branch of authority and the new administration will be given respective assessment. This question requires immediate resolution. The second very important issue concerns passports. A whole generation doesn't have passports today. Our people are enterprising, they place themselves in a job abroad, but we cannot provide them with normal passports. They are unable to go abroad – this is a critical problem. And the land issue will be a critical point for any administration. All the more, we carried agrarian reform in 1993-94 without careful preparations. Of course, we must return to this problem, examine it, and finally solve questions concerning land allotments. We must be always equitable – not only during elections (every citizen has an equal vote on a referendum or an election), but also while distributing the national wealth. There are people, who have got a hectare per capita, but also there are people who have got only hundred parts per capita. How did we carry out the reform? If *ayil okmotu* was densely populated, then people got a little, and if it was not, then people got more. I think this is not fair.

Daniyar Narymbaev: There are no more down to earth and burning topical issues than those named by Jantoro Joldoshevich, and failure to solve any one of these issues may result in unpredictable negative consequences. Certainly, these are practical matters, and the Cabinet and parliament will address them. All of the things that we mentioned will remain on the agenda, and we should deal with them simultaneously: to proceed with the Constitutional reform, and to have the Cabinet work under the control of both the parliament and the President. And we should also think of the ways of reforming the judiciary. We should address all the issues that we mentioned.

At the crossroads of world powers' interests: foreign policy problems of Kyrgyzstan

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The events of March 24th unearthed a number of problems, including those which were brewing under the old regime, and new problems which threaten the stability of our tiny state. Today one of the most outstanding problems is a lack of distinct vision by the current administration regarding Kyrgyzstan's position in relation to world powers and other significantly influential countries in Central Asia, resulting in inconsistent foreign policy. There is a clash of interests between world powers on the territory of our country, which further complicates the issue of Kyrgyzstan's position in the world arena.

Geographically, Kyrgyzstan is located in the center of the heartland – Eurasia – where the interests of the U.S., Russia, and China – countries fighting for influence on the continent – are crossing.

The U.S. is pursuing several objectives through Kyrgyzstan. First, with the help of a military base in Kyrgyzstan, it has the possibility to fight terrorism in Afghanistan. Second, Kyrgyzstan is obviously one of the "democratized" states where the U.S., through promotion of ideas of democracy and civil society, can keep the country loyal, which is important in the big geopolitical game. However, fostering democratic values, despite all of its advantages, is happening at a very superficial level within very short time, which negatively affects the quality of transition.

The events which took place in Georgia, Ukraine and Kyrgyzstan clearly demonstrated the ineffective policies of Moscow towards the post-Soviet countries. Moscow started to get interested in Central Asia only after the U.S. began to actively encircle Russia with "its" countries.

Besides the U.S. and Russia, China is also increasing its influence in Kyrgyzstan. So far this is happening mainly in economics, but may

potentially involve politics. Kyrgyzstan borders on the Xinjiang Uygur Autonomous Region, a restless, and at the same time strategically important region for China. The region known for its separatist movements and stability in bordering Kyrgyzstan is in the best interests of China.

The events of May 2005 in Andijan reminded us of how explosive the Ferghana valley is. There is a tension between Uzbekistan and Kyrgyzstan due to a set of unresolved problems concerning borders, water, and demographic issues. The tension has grown following the transfer of Uzbek refugees from Kyrgyzstan to a "third country." Furthermore, as a result of incompetent diplomatic dialogue and an inert attitude towards strengthening the law-enforcement and frontier agencies, Kyrgyzstan is already facing problems of national security on the southern borders, which are easily crossed and shifted.

Due to its high speed economic growth and huge financial resources, Kazakhstan is now seeking new markets for its goods and investments. Kazakhstan is ready to start investing in Kyrgyzstan's economy, provided there is a stable situation in the country, clear and transparent intergovernmental treaties, and improved legislation guaranteeing the protection of investments. In this case, with the help of Kyrgyzstan, Kazakhstan would be able to effectively compete with Russia in seizing the Eurasian market, and in the future become a serious political competitor with Moscow in Central Asia. The flow of Kazakh capital into our economy would improve the economic situation of Kyrgyzstan, and thereby secure our sovereignty and our national interests. However, as long as the situation in Kyrgyzstan is unstable, Kazakhstan will not come to our market, as it needs guarantees and stability.

Growing geopolitical competition may have a destabilizing impact on the situation in Kyrgyzstan. The U.S. military presence, Russian attempts to re-establish its power in the region, and the concerns of Kazakhstan, Uzbekistan and China in relation to any disorder that may destabilize the whole region – all of these factors will influence the situation in Kyrgyzstan and the relations of other countries towards it.

Akaev's foreign policy scheme began to collapse with the deployment of military bases; so foreign countries found it necessary and possible to reshape the situation in a new way after his ousting. This is confirmed by a declaration issued on July 6th, 2005 by leaders of the member-states of the Shanghai Cooperation Organization, which requires withdrawal of the military bases of the anti-terrorist coalition from Central Asia, as well as frequent visits of high ranking American politicians to the region.

Today it is necessary to choose a new correct course. Given our dependence on external factors, the possible options are limited to single-vector or multiple-vector foreign policy, i.e. either we have to "be friends" with one country that will solve all of our economic and political issues, or we must pursue a multiple-vector policy by building parallel relations, and try to have a delicate balance and protection of national interests.

The present administration seems to have a simplified and even primitive understanding of the crucial, underlying processes currently in progress. Their statements are full of inconsistency and crudity of foreign policy strategy, be it in relation to Russia, the U.S., China or neighboring Central Asian states. The new administration must realize the necessity of creating unity among political elite in order to secure sovereignty and stability in the country. One possible solution to the geopolitical problem of Kyrgyzstan is the creation of a

three-vector direction. The alliance of Kyrgyzstan with Kazakhstan and Russia will provide a push for economic development and increase stability in the country, since these three states have common economic and political interests. Kazakhstan's presence will exclude immediate tension between the U.S. and Russia, and thus become a restraining factor. A three-vector alliance seems to be the most appropriate course, since Astana and Moscow are both interested in stability in Kyrgyzstan and are willing to support our national interests and sovereignty.

A possible partnership between the U.S. and Russia may result in opportunities for cooperation, not confrontation, in Central Asia. A number of real threats to the entire world, as well as to the U.S. and Russia in particular (for instance, international terrorism, religious extremism, drug trafficking, the threat of neighboring countries acquiring nuclear weapons), could initiate the coalescing of their interests in the Eurasian region. Different approaches and visions towards the politics and the future of this region keep us from talking about any shared understanding or agreement of these countries over a set of current issues. Nevertheless, taking into account all of the above mentioned threats, such a partnership could at least counterbalance the threats emanating from Central Asia.

A small country without enough resources to promote its national interests has to maneuver skillfully between such countries as the U.S., Russia, and China in order not to become an apple of discord and a destructive element in the region. Today, Kyrgyzstan depends on external forces, but at the same time the situation in the region also depends on the policies pursued by Kyrgyzstan. The leadership of the country must use all diplomatic measures to, first of all, provide elementary criteria of national security, and secondly, to promote the political and economic interests of the country.